

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,)	Case No. 3:08CR154
)	
Plaintiff,)	Chief Judge James G. Carr
)	
v.)	
)	<u>FINAL ORDER OF FORFEITURE</u>
Steven W. Smith,)	
)	
Defendant.)	

WHEREAS, on March 31, 2008, an Information was filed against defendant Steven W. Smith charging him with violations of 17 U.S.C. § 506(a)(1)(A), and 18 U.S.C. § 2319(b)(1), copyright infringement of motion pictures.

AND WHEREAS, on Pages 2-3 of the Information, the United States of America sought the forfeiture of any and all property constituting infringing items and implements, devices and the equipment used in the manufacture of such infringing items. alleged in the indictment pursuant to 17 U.S.C. §§ 506(b) and 509.

AND WHEREAS, on May 29, 2008, defendant Steven W. Smith pled guilty to the charges in the Information, which was accepted by this Court on July 17, 2008.

AND WHEREAS, the Judgment of defendant Steven W. Smith filed on September 30, 2008, ordered that Smith shall forfeit his interest in the property identified in the forfeiture count

of the information to the United States.

AND WHEREAS, this Court issued a Preliminary Order of Forfeiture instructing the United States to publish notice on the Department of Justice's internet website at www.forfeiture.gov to any third parties asserting a legal interest in the subject assets on December 9, 2008. (Doc. 17 Preliminary Order of Forfeiture).

AND WHEREAS, the United States published notice of the forfeiture for at least 30 consecutive days beginning December 10, 2008. (Doc. 18 Notice of Internet Publication).

AND WHEREAS, no claims to the above-named assets were filed within the prescribed time limitation.

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. The below-described assets are finally forfeited to the United States pursuant to 21 U.S.C. § 853(n), and no right, title or interest shall exist in Steven W. Smith, or any other party. Said assets are more particularly described as follows:

- A. Vinpower DVD duplicator 11 bay, serial number: VIN6025443;
- B. Vinpower DVD duplicator, 4 bay, serial number: 2-05-0320;
- C. Thermal Disc Printer, Model UPrint, serial number: CDP78;
- D. Cannon Scanner, serial number: TAAD20715;
- E. Western Digital External Hard Drive, serial number: WMAPZ0756629;
- F. OK1 Printer C3400, serial number: AE67049849AO;
- G. Rimage Everest III DVD Printer, serial number EO31535;
- H. Assorted Software Disks, Backup Disks, Blank DVDs, Blank CDs and DVD jackets;
- I. Assorted Manuals, Software, Cables for Printers, Scanners, Duplicators, Hard Drive;
- J. Assorted Printer Ribbons and Ink Cartridges;

- K. Various Packaging materials: Paper Cutter, Heat Sealer, Yellow Heat Gun, Black Heat Gun, Scissors, Shrink Wrap, Shrink Bags, Package Tape Dispenser, Packaging Tape;
- L. Various Mailing materials: USPS Air Mailers, USPS Bubble Mailers, DVD/CD Mailers, Postage Scale, Shipping labels;
- M. Laser Printer Labels, Paper;
- N. DVD Inserts (blank and duplicated);
- O. Approximately thirty-five (35) original DVDs;
- P. Approximately one-hundred ninety (190) counterfeit DVDs.

and such assets are hereby forfeited to the United States for disposition in accordance with law, subject to the provisions of 21 U.S.C. § 853(n)(1).

2. The United States shall seize and take control of the subject assets, and shall dispose of them in accordance with law and regulation.

3. This Final Order of Forfeiture hereby extinguishes and renders invalid all other third party claims of any kind whatsoever against the subject assets.

ORDERED this 25th day of February, 2009.

s/James G. Carr

Chief Judge